

EXHIBIT A

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

JAMES HARRINGTON
HEATHER HARRINGTON

CIVIL ACTION 21-C-09115-S6
NUMBER: _____

PLAINTIFF

VS.

CHEMTRADE CHEMICALS US, LLC,
CHEMTRADE SOLUTIONS, LLC,
CHEMTRADE CHEMICALS, CORP, et al

DEFENDANT

TO: CHEMTRADE PERFORMANCE CHEMICALS US, LLC

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

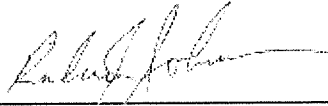
BRANDON SMITH, Esq.
Brandon Smith Law, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of 27th day of December, 2021, 20____.

Tiana P. Garner
Clerk of State Court

By _____


Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

JAMES HARRINGTON

HEATHER HARRINGTON

CIVIL ACTION 21-C-09115-S6
NUMBER: _____

PLAINTIFF

VS.

CHEMTRADE CHEMICALS US, LLC,

CHEMTRADE SOLUTIONS, LLC,

CHEMTRADE CHEMICALS, CORP, et al

DEFENDANT

TO: GENTEK INC ET & NOMA CO. f/k/a General Chemical Corp.

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

BRANDON SMITH, Esq.
Brandon Smith Law, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092

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27th day of December, 2021

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IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

JAMES HARRINGTON

HEATHER HARRINGTON

CIVIL ACTION 21-C-09115-S6
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PLAINTIFF

VS.

CHEMTRADE CHEMICALS US, LLC,

CHEMTRADE SOLUTIONS, LLC,

CHEMTRADE CHEMICALS, CORP, et al

DEFENDANT

TO: CHEMTRADE CHEMICALS US, LLC

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

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BRANDON SMITH, Esq.
Brandon Smith Law, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092

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IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

JAMES HARRINGTON

HEATHER HARRINGTON

CIVIL ACTION 21-C-09115-S6
NUMBER: _____

PLAINTIFF

VS.

CHEMTRADE CHEMICALS US, LLC,

CHEMTRADE SOLUTIONS, LLC,

CHEMTRADE CHEMICALS, CORP, et al

DEFENDANT

TO: CHEMTRADE SOLUTIONS, LLC

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

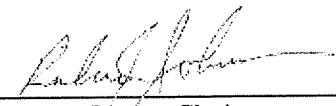
You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

BRANDON SMITH, Esq.
Brandon Smith Law, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092

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IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

JAMES HARRINGTON

HEATHER HARRINGTON

CIVIL ACTION 21-C-09115-S6
NUMBER: _____

PLAINTIFF

VS.

CHEMTRADE CHEMICALS US, LLC,

CHEMTRADE SOLUTIONS, LLC,

CHEMTRADE CHEMICALS, CORP, et al

DEFENDANT

TO: CHEMTRADE CHEMICALS CORPORATION

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

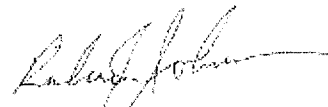
You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

BRANDON SMITH, Esq.
Brandon Smith Law, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092

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Tiana P. Garner
Clerk of State Court

By  _____
Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

JAMES HARRINGTON, and
HEATHER HARRINGTON,

Plaintiffs,

v.

CHEMTRADE CHEMICALS US, LLC,
CHEMTRADE SOLUTIONS, LLC,
CHEMTRADE CHEMICALS
CORPORATION, CHEMTRADE
PERFORMANCE CHEMICALS US, LLC,
CHEMTRADE LOGISTICS (US), INC.,
GENTEK INC ET & NOMA CO. f/k/a
General Chemical Corp., XYZ CORP. 1-5,
and JOHN DOES 1-5,

Defendants

JURY TRIAL DEMANDED

CIVIL ACTION FILE

21-C-09115-S6

NO. _____

**PLAINTIFFS' COMPLAINT FOR ENGINEERING MALPRACTICE, NEGLIGENCE,
AND DAMAGES**

COMES NOW, James Harrington and Heather Harrington (collectively "Plaintiffs") and file this Complaint for Engineering Malpractice, Negligence, and Damages, respectfully showing the Court as follows:

1.

This personal injury case arises out of chemical burns Plaintiff James Harrington received to his face and body due to the negligence of Defendants.

2.

At the time of the incident, Plaintiffs were residents and citizens of the State of Georgia, were and are husband and wife, and are subject to the jurisdiction of this Court.

3.

Defendant **CHEMTRADE CHEMICALS US, LLC**, (hereinafter referred to as “Chemtrade Chemicals”), is a foreign limited liability company registered to do business in the State of Georgia. Defendant Chemtrade Chemicals is engaged in the business of manufacturing performance chemicals for such industries as food additives and pharmaceuticals, environmental services, high technology, and chemicals processing. Chemtrade Chemicals was in all times relevant to this action, doing business in the State of Georgia with its principal office at 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ, 07054 and may be served at its registered agent CT Corporation System, 289 S Culver St, Lawrenceville, Georgia 30046, Gwinnett County. Defendant Chemtrade Chemicals is subject to the venue and jurisdiction of this Court. All acts and omissions of Defendant Chemtrade Chemicals described herein were performed by its agents, servants, employees and/or owners, acting in the course and scope of their respective agencies, services, employments and/or ownership.

4.

Defendant **CHEMTRADE SOLUTIONS, LLC**, (hereinafter referred to as “Chemtrade Solutions”), is a foreign limited liability company registered to do business in the State of Georgia. Defendant Chemtrade Solutions is engaged in the business of the manufacturing of chemical preparations. Chemtrade Solutions was in all times relevant to this action, doing business in the State of Georgia with its principal office at 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ, 07054 and may be served at its registered agent CT Corporation System, 289 S Culver St, Lawrenceville, Georgia 30046, Gwinnett County. Defendant Chemtrade Solutions is subject to the venue and jurisdiction of this Court. All acts and omissions of Defendant Chemtrade Solutions

described herein were performed by its agents, servants, employees and/or owners, acting in the course and scope of their respective agencies, services, employments and/or ownership.

5.

Defendant **CHEMTRADE CHEMICALS CORPORATION**, (hereinafter referred to as “Chemtrade Chemicals Corp”), is a foreign corporation registered to do business in the State of Georgia. Defendant Chemtrade Chemicals Corp is engaged in the business of the storage of chemical products throughout the world servicing the manufacturing industry as traders of chemicals and raw materials. Chemtrade Chemicals Corp was in all times relevant to this action, doing business in the State of Georgia with its principal office at 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ, 07054 and may be served at its registered agent CT Corporation System, 289 S Culver St, Lawrenceville, Georgia 30046, Gwinnett County. Defendant Chemtrade Chemicals Corp is subject to the venue and jurisdiction of this Court. All acts and omissions of Defendant Chemicals Corp described herein were performed by its agents, servants, employees and/or owners, acting in the course and scope of their respective agencies, services, employments and/or ownership.

6.

Defendant **CHEMTRADE PERFORMANCE CHEMICALS US, LLC**, (hereinafter referred to as “Chemtrade Performance”), is a foreign limited liability corporation registered to do business in the State of Georgia. Defendant Chemtrade Performance is engaged in the business of wholesale distribution of chemicals. Chemtrade Performance was in all times relevant to this action, doing business in the State of Georgia with its principal office at 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ, 07054 and may be served at its registered agent CT Corporation System, 289 S Culver St, Lawrenceville, Georgia 30046, Gwinnett County. Defendant

Chemtrade Performance is subject to the venue and jurisdiction of this Court. All acts and omissions of Defendant Chemicals Performance described herein were performed by its agents, servants, employees and/or owners, acting in the course and scope of their respective agencies, services, employments and/or ownership.

7.

Defendant **CHEMTRADE LOGISTICS (US), INC.**, (hereinafter referred to as “Chemtrade Logistics”), is a foreign corporation registered to do business in the State of Georgia. Defendant Chemtrade Logistics is engaged in the business of the manufacturing of chemical preparations. Chemtrade Logistics was in all times relevant to this action, doing business in the State of Georgia with its principal office at 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ, 07054 and may be served at its registered agent CT Corporation System, 289 S Culver St, Lawrenceville, Georgia 30046, Gwinnett County. Defendant Chemtrade Logistics is subject to the venue and jurisdiction of this Court. All acts and omissions of Defendant Chemtrade Logistics described herein were performed by its agents, servants, employees and/or owners, acting in the course and scope of their respective agencies, services, employments and/or ownership.

8.

Defendant **GENTEK INC ET & NOMA CO. f/k/a General Chemical Corp.**, (hereinafter referred to as “GENTEK”), is a foreign corporation owning real property in the State of Georgia based on tax assessor records. Defendant GenTek is engaged in the business of the manufacturing of chemical preparations and owned the subject facility. GenTek was in all times relevant to this action, doing business in the State of Georgia with its principal office at 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ, 07054 and may be served at that address. Defendant GenTek is subject to the venue and jurisdiction of this Court. All acts and omissions of

Defendant GenTek described herein were performed by its agents, servants, employees and/or owners, acting in the course and scope of their respective agencies, services, employments and/or ownership.

9.

Defendant XYZ Corps. 1-5 are entities or persons that owned, managed, inspected, negligently repaired, or maintained the area where Plaintiff worked for Defendants' benefit on December 30, 2019, and are subject to the jurisdiction and venue of this Court. Plaintiff incorporates by reference all claims made in this Complaint against any other Defendant against Defendants XYZ Corps. Defendants XYZ Corps will be named and served with the Summons and Complaint once their identities are revealed.

10.

Defendant John Does 1-5 are persons that owned, managed, inspected, negligently repaired, or maintained the area where Plaintiff worked for Defendants' benefit on December 30, 2019, and are subject to the jurisdiction and venue of this Court. Plaintiff incorporates by reference all claims made in this Complaint against any other Defendant against Defendants XYZ Corps. Defendants XYZ Corps will be named and served with the Summons and Complaint once their identities are revealed.

11.

On December 30, 2019, James Harrington was working with Shamrock Services, LLC ("Shamrock") at Defendants' facility located at 4652 Mead Road, Macon, Georgia 31206.

12.

Defendants do not have any ownership interest in Shamrock Services, LLC and is independent from Shamrock.

13.

Defendants are not the statutory employer of Plaintiffs.

14.

Defendants invited Plaintiff to perform an acid line break on an old line. At all relevant times during the operation, Plaintiff wore goggles, a face shield, rubber gloves, an acid suit, rubber boots and a harness given that a scaffold was necessary to perform the work. When Plaintiff cut the remaining bolts out to remove the pipe, acid sprayed onto Plaintiff causing him to fall off the scaffold suspended by the harness with acid sloshing up underneath his face shield and severely burning Plaintiff's face. Plaintiff cut himself down from the harness with a pocketknife and was rushed to a safety shower. EMS arrived and stripped Plaintiff naked in the middle of Defendants' plant. Plaintiff was rushed to the emergency room to treat for his injuries and subsequently taken to Joseph M Stills Burn Center for surgery.

COUNT 1 – CLAIMS OF PROFESSIONAL NEGLIGENCE

15.

Plaintiffs' injuries were caused because of the failure of Defendants in designing, re-designing, maintaining and installing safety upgrades to the pipes, including allowing an old pipe that was designed in a length excess to standards and fastened to the attaching pipe that caused it to spring out when removed. Defendants failed to perform or rely on proper and adequate testing and research to determine and evaluate the risks regarding the pipes, machinery, and related equipment. Defendants also provided incomplete, insufficient, and misleading training and information regarding the piping area, machinery, and equipment to users.

16.

Specifically, Defendants were negligent in the following respects:

- a. There were no adequate warnings, caution or alarms to alert Plaintiff that the pipe contained acid in it when removed;
- b. There was no site-specific training provided to Plaintiff by Defendants;
- c. Defendants maintained inadequate standards related to Personal Protective Equipment (“PPE”) such that full suits should have been provided and/or required to fully encapsulate workers at Defendants’ facility;
- d. Allowing acid to remain in the pipe despite providing assurances to Plaintiff that acid was flushed and clear.

17.

Defendants’ negligence was the direct and proximate cause of the damages sustained by Plaintiffs.

18.

As a direct and proximate result of the Defendant’s acts and/or omissions, Plaintiffs are entitled to recovery of their losses from Defendants.

19.

In compliance with the laws of Georgia, requiring an engineering affidavit prior to suit being filed and formal discovery, attached to this Complaint is the Affidavit Robert T. Tolbert, P.E. setting forth the negligence of Defendants, and specifying therein the standard of care, then known. See **Exhibit A** hereby attached.

COUNT 2 – NEGLIGENCE

20.

Defendants assured James Harrington that the pipes were purged and cleaned and that there was no acid in the pipes.

21.

At times relevant to this suit, Defendants owned, managed, supervised, and/or inspected the facility where Plaintiff was working, including the piping and equipment.

22.

Defendants failed to remove or cause the removal of the acid in the pipes that burned Plaintiff at Defendants' facility.

23.

An investigation conducted in the aftermath of the incident revealed that the standards for PPE were too low and should have been heightened. In other words, had Defendants required encapsulated PPE, then Plaintiff would not have been burned to the extent he was.

24.

Defendants were further negligent in failing to provide site-specific training to Plaintiff. Had that training been provided, Plaintiff's injuries and damages may have been avoided.

25.

As a direct and proximate result of the failure, referenced herein, Plaintiffs have sustained and continue to sustain significant injuries and economic expenses.

26.

Defendants' negligent acts and/or omissions, proximately caused the occurrence in question. Specifically, in:

- (1) Failing to properly inspect to such area, machinery, and equipment;
- (2) Failing to make proper repairs to such area, machinery, and equipment;
- (3) Failing to properly maintain to such area, machinery, and equipment;

- (4) Failing to make reasonable changes to such area, machinery, and equipment to reduce inherent risks and dangers;
- (5) Failure to reasonably reduce or prevent foreseeable dangers to individuals; and
- (6) Failure to use ordinary care in keeping the premises reasonably safe.

27.

Defendants' negligence was the direct and proximate cause of the damages sustained by Plaintiffs. As a direct and proximate result of Defendants' acts and/or omissions, Plaintiffs are entitled to recovery of their losses from Defendants.

COUNT 3 – NEGLIGENCE PER SE

28.

Defendants were negligent *per se* for having committed acts or omissions inconsistent with their statutory duty under O.C.G.A. § 51-3-1 to keep the premises of the ChemTrade facility safe for their invitees, including Plaintiff James Harrington.

29.

Plaintiff James Harrington is within the class of people that O.C.G.A. § 51-3-1 is designed to protect.

30.

The injuries suffered by Plaintiff James Harrington are the type of injuries that O.C.G.A. § 51-3-1 is designed to prevent from occurring.

31.

Defendants' breach of the duty owed to Plaintiff James Harrington under O.C.G.A. § 51-3-1 is the direct and proximate cause of the injuries that Plaintiff James Harrington sustained.

32.

Defendant's acts and omissions, as described herein, were a cause in fact and a proximate cause of the injuries and emotional distress to Plaintiff James Harrington.

33.

Defendants are liable for Plaintiffs' injuries, pain and suffering, and all other elements of damages allowed under the laws of the State of Georgia.

DAMAGES

34.

As a proximate result of the Defendants' acts and omissions, both individually and in concert, Plaintiff James Harrington has experienced significant mental and physical pain and suffering, impairment, financial and economic loss including but not limited to obligations for medical services and expenses, disfigurement, lost income, loss of earning capacity and loss of consortium. Each of which will in all reasonable probability continue. Plaintiff Heather Harrington has suffered the loss of her husband's consortium, companionship, society, affection, services, and support. Her loss will, likely, continue. Plaintiff also seeks past and future pain and suffering which shall be determined by the enlightened conscious of the jury.

35.

Plaintiff is entitled to recover for the injuries and pain and suffering sustained, and all other elements of damages allowed under Georgia law, including, but not limited to all compensatory, general, special, incidental, consequential, punitive, and/or other damages permitted. Plaintiff states his intention to seek all compensatory, special, economic, consequential, general, punitive, and all other damages permissible under Georgia Law, including, but not limited to:

- a. Personal injuries;

- b. Past, present, and future pain and suffering;
- c. Disability;
- d. Disfigurement;
- e. Mental anguish;
- f. Loss of the capacity for the enjoyment of life;
- g. Impaired ability to labor;
- h. Incidental expenses;
- i. Loss of earning capacity;
- j. Past, present, and future medical expenses;
- k. Permanent injuries; and
- l. Consequential damages to be proven at trial.

36.

Defendants acted with willful misconduct, malice, fraud, oppression, wantonness, and an entire want of care raising the presumption of a conscience indifference to the consequences. Accordingly, Plaintiff is entitled to recover punitive damages from Defendant, in accordance with the enlightened conscience of an impartial jury.

37.

Plaintiff is entitled to attorneys' fees and litigation expenses because Defendant's actions evidence bad faith in the transaction and dealings surrounding the incident. Defendant and its agents have been stubbornly litigious and have caused Plaintiff unnecessary expense so as to entitle Plaintiff to the expenses of litigation and attorneys' fees as defined by O.C.G.A. § 13-6-11.

38.

Each of the forgoing acts and omissions constitute an independent act of negligence by Defendant, and one or more or all of said herein above-stated acts were the proximate causes of the injuries and damages sustained by Plaintiff.

WHEREFORE, the Plaintiffs prays for the following relief:

- a) That summons be issued requiring Defendants to appear as provided by law to answer this Complaint;
- b) That Plaintiff have a trial by jury;
- c) That Plaintiff have and recover all damages for all losses compensable under Georgia law as set forth above;
- d) That all costs be cast against Defendants; and
- e) For all such other and further relief as the Court shall deem just and appropriate.

TRIAL BY JURY IS HEREBY DEMANDED.

Respectfully submitted, this 22nd day of December, 2021.

BRANDON SMITH LAW, LLC
/s/ Brandon Smith
BRANDON SMITH
Georgia Bar No. 732793
Counsel for Plaintiff

BRANDON SMITH LAW, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092
Phone: (678) 831-5278
Fax: (678) 623-5790
brandon@brandonsmithlawfirm.com

EXHIBIT A

JAMES HARRINGTON,

Plaintiff,

v.

CHEMTRADE OF MACON, GEORGIA

Defendants.

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IN THE DISTRICT COURT OF

WINNETT COUNTY, GEORGIA

AFFIDAVIT OF ROBERT T. TOLBERT, P.E.

STATE OF ALABAMA

COUNTY OF SHELBY

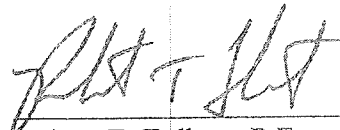
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Before me the undersigned authority, on this day personally appeared Robert T. Tolbert known to me to be the person whose name is subscribed below, who being duly sworn, states as follows:

1. My name is Robert T. Tolbert. I am over twenty-one years of age, have never been convicted of a felony or other crime of moral turpitude, and suffer no mental or physical disability that would make me incompetent to testify to the matters stated in this Affidavit. I do hereby swear the facts stated in this Affidavit are within my personal knowledge and are true and correct.
2. Attached hereto as Exhibit A-1 is a true and correct copy of my current curriculum vitae.
3. On or about December 30, 2019, ChemTrade, as employer, owner or contractor, has a duty to provide a safe work environment or inform or warn employees or contractors of any unsafe conditions such as acid contained in a pipe that any worker is directed to perform work.
4. On or about December 30, 2019, ChemTrade did not purge the pipe of acid, nor did ChemTrade inform James Harrington or any other workers of the presence of acid in the pipe or possibility of the presence of acid in the pipe.

5. The failure of ChemTrade to either purge the pipe of acid to provide a safe work environment or the failure of ChemTrade to inform workers of the presence of acid in the pipe or even the possibility of acid in the pipe, caused James Harrington to remove fasteners from the pipe flanges or connections, causing him to be covered in acid, causing severe chemical burns. He further fell from his platform and had to cut his harness to get to the ground to seek medical attention.
6. Further, per James Harrington's statement, there is reason to believe there were construction deficiencies in the pipeline. Prior to any discovery or investigation, it cannot be determined if these errors were a design deficiency or an error in the construction of the pipeline. However, once the authorization is granted, both aspects, design and construction, will be investigated and determine the cause of the defect and report to the court.
7. The opinions expressed in my report are based on my education, training, and experience. Further, they are offered to a reasonable degree of engineering certainty.

FURTHER AFFIANT SAYETH NOT



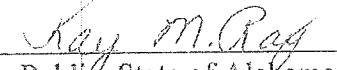
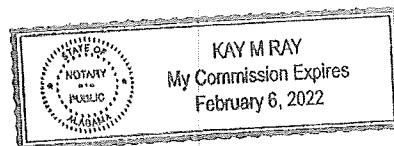
Robert T. Tolbert, P.E.

STATE OF ALABAMA

§
§
§

COUNTY OF SHELBY

Subscribed and sworn to before me remotely on this XXth day of December, 2021, which I certify by my signature and by the seal of my office.


Notary Public, State of Alabama

ROBERT T. TOLBERT, P.E., S.E.

CONSULTING ENGINEER

Licensed Professional Engineer

Licensed Structural Engineer

140 Landings Lane

Wilsonville, Alabama 35186

Phone Cell (205) 937-2747

E-mail: robby@rtolbert.com

CURRICULUM VITAE

PROFILE:

I am licensed as a Professional Engineer (P.E.) in Alabama, Arkansas, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, Tennessee, Texas, Virginia, Washington & West Virginia. I am licensed as a Structural Engineer (S.E.) in Alabama and Georgia. My qualifications include a Bachelor's Degree in Mechanical Engineering from the University of Alabama at Birmingham. A Graduate (Master's) level Certificate in Structural Engineering from the University of Alabama at Birmingham and a Master's Degree in Civil Engineering from the University of Alabama at Birmingham. Over 35 years work experience in industrial/construction fields, with experience (prior to becoming an engineer) including commercial and residential construction, excavation services, fabrication shops, machine shops, automobile mechanics (drag raced for over ten years), farm equipment, HVAC, trucks and heavy equipment. A "hands-on" engineer, with an extremely strong aptitude, intuition and superb troubleshooting abilities, Mr. Tolbert has a thorough knowledge and understanding of building construction, machinery, automation, industry, manufacturing, automobiles, trucks, heavy equipment, automobile wrecks, industrial settings, railroads, marine, and structural standards. CAD software is used for design, projects and reconstruction, complete with plotter for up to 36" x 72" drawings or illustrations.

WORK EXPERIENCE:

Tolbert Technologies, Inc. Engineering design, manufacturing, installation and monitoring of data acquisition and control systems for industrial air handling equipment, particularly combustion type systems.

Engineering Driven Solutions Self-Employed. Engineering design, manufacturing, installation and troubleshooting of industrial hydraulic drives for fans, conveyors and other powered machinery requiring variable speeds and loadings. These hydraulic systems potentially save clients tens of thousands of dollars per year in saved energy costs on many types of equipment.

Tolbert Performance Engineering, LLC Self-Employed. Engineering, construction and operation of chassis dynamometers for cars, trucks, motorcycles and other wheeled vehicles. Provide dynamometer services over the United States.

Tolbert Engineering and Construction, LLC Self-Employed. Engineering, construction and excavation services for residential and small commercial projects on and around the Smith Lake, Alabama area. Innovative design and engineered construction for challenging projects structurally, topographically and architecturally.

Robert T. Tolbert, P.E., Self-Employed. Provide expert witness and Engineering consultation services to Attorneys in the State of Alabama, and the Southeast. Services available include opinions, analyses, reports, photographs, diagrams and testimony.

University of Alabama, Instructor in Mechanical Engineering Department. Taught classes in the Mechanical Engineering Department.

Jefferson State Community College, Part-time instructor. Taught courses in engineering/technical fields at Northeast campus. Includes teaching two advanced hydraulics/pneumatics courses to Boeing rocket engine test engineers in Decatur, AL.

Southeast Control Systems, Inc., Project Engineer. Sole responsibility for designing, installing, programming and startup of CNC (Computer Numerical Controls) for manufacturing machine equipment. Includes selection of components, ladder logic programming, modification of machinery, machine design, hydraulics, etc.

BE&K / Viatech, (Contract Position), Design Engineer. Duties included design, layout and specifications of chemical plants. Designed and specified the sizing, standards, economics and procurement of buildings, foundations, structural steel, conveyors, pumps, piping, screens, pneumatics, hydraulics, firefighting and safety equipment, etc.

Reliable Automation and Conveyor Systems, Inc., Project Engineer (Contract Position). Duties included the design and construction of industrial material handling systems, such as conveyors, piping systems, crane, monorails, robotics, PLC's (programmable logic controllers), hydraulics, pneumatics, structural and electrical controls.

Raytheon Engineers and Constructors (previously Rust Engineering Co.), (Contract Position.), Design Engineer II. Duties and responsibilities included the design, layout, mechanical, hydraulic and structural design construction and/or demolition of paper mills, food plants and industrial facilities. Designed the oxygen delignification plant for the International Paper Riegelwood project, and designed projects such as Pillsbury, Mars Candy, Miller Brewing Company and others.

Kustom Kreations, Product and Compliance Engineering Manager. Duties and responsibilities include insuring that the manufacturing process and the final products of this company are in compliance with the requirements of Ford, General Motors, Dodge, RVIA (Recreational Vehicle Industry Association) and FMVSS (Federal Motor Vehicle Safety Standards). This includes safety, center of gravity calculations, and other functional testing and specifications. Received correspondence from the various manufacturers, Industry Associations, etc., and initiated whatever changes were necessary to bring this company in compliance with the mandates.

Rust Engineering Co., Design Engineer I. Duties and responsibilities included the design, layout, construction and/or demolition of paper mills, garbage disposal plants and waste to energy plants. Most of the work was done primarily in the woodyard, screening towers, and stock prep areas, focusing on material handling, piping systems, conveyors, structural design, screens, fans, blowers (pneumatic conveyors), pipe bridges, pumps, tanks, safety standards, etc. Solely responsible for several general arrangement designs on woodyards, blower systems, conveyors, monorail systems, etc., which were approved by the clients and released for construction. This position involved frequent field trips, to obtain existing site information and measurements.

Airlock Manufacturing Co., Inc. (Contract Position), Project Engineer. Duties and responsibilities included the design, manufacture, installation and startup of robotic pick and place machinery, utilizing vacuum pads for placement. Full charge design responsibility for several projects while there, and was flown to several sites around the Northeastern US to represent the company on the technical issues of the projects. Performed all engineering calculations necessary in the design of these robotic machines, was the Engineer-In-Charge at startup and programmed the PLC's during the initial installation period.

Thermo King Corp., (Contract Position), Project Engineer. Duties and responsibilities included the design and testing of railroad air conditioning equipment. Wrote test procedures for the rebuild of rail car air conditioning units. Performed FEA (Finite Element Analysis – Stress Analysis) calculations on the

structures of the A/C units to insure that they would withstand the vibration and shock loads associated with RR service. This position required several trips to Hornell, NY to represent the company to the customer on technical issues. Full charge responsibility of several aspects of the projects, including the electrical design of the controls circuit.

Kershaw Mfg. Co., Inc., Project Engineer. Duties and responsibilities included the design, manufacturing and demonstration of railroad maintenance equipment. This included structural design, heavy emphasis on the electro-hydraulic (and/or pneumatic), engine selection, cab design, noise control, etc. Performed Finite Element Analysis (FEA) on crane structures, hydraulic/pneumatic design calculations (including heat generation and dissipation), power requirements, bearing life and load, and many other engineering functions pertinent to the design and manufacture of custom equipment. Sole responsibility for a machine called the "Kribber/Adzer" that Kershaw designed and built for CSX Railroad. The Head of Maintenance for CSX requested me personally to design two other projects after the Kribber/Adzer, those projects being the switch undercutter, and the dump car. Developed a machine called a "Ramp Car" that loaded equipment from the track to a flat car for transporting. This car eliminated the use of a crane for loading equipment up to 80,000 lbs.

BE&K Engineering Co., Inc., Mechanical Engineer. Duties and responsibilities included the design, layout, construction and/or demolition of paper mills. Most of the work was done primarily in the woodyard, hydraulics, screening towers, and stock prep areas, focusing on material handling, structural steel, conveyors, screens, fans, blowers (pneumatic conveyors), pipe systems, pipe bridges, tanks, pumps, safety standards, etc. Prepared general arrangement drawings, mechanical details, flow sheets, P&ID's, and other necessary documentation. Extensive use of Intergraph Microstation, computer programming, and engineering calculations necessary for the design of the conveyors, fans, blowers, screens, dust control, etc. This position required frequent field trips to the project sites.

Dravo Lime Co., Longview Division, Plant Engineer/Maintenance Engineer/Safety Director. Duties and responsibilities included design, construction and/or demolition of any and all capital expansion projects, major repair/rebuild projects, structural steel, maintenance and modification projects. Performed the engineering calculations necessary for the design of conveyors, drives, hydraulics, ventilation, materials handling, hoppers, ducts, pipelines, pumps, enhancing combustion processes, etc. Responsibility included the compliance with pollution and safety standards, dealing with OSHA, the Alabama Department of Environmental Management (ADEM) and MSHA Mining Safety Health Act (Mining's version of OSHA) extensively.

Tree Farmer Equipment Co., Inc., Production Engineer. Duties and responsibilities included the design and manufacture of logging skidders. Responsible for the design of structures, powertrains, transmissions, hydraulic systems, brakes, grapples, and many other aspects of the design. Responsible for testing on the Roll Over Protective Structure (ROPS) & Falling Object Protective Structure (FOPS) in accordance with SAE Standards.

Tolbert Excavating Company, Inc., Owner/President. Operated an excavating contracting business, using bulldozers, front-end loaders, backhoes, compactors, motor graders, and other types of heavy equipment to perform excavation services, grade work and demolition. Built roads, lakes, excavated building sites (residential and commercial), cleared land, septic tanks, compaction, fill work, hauling, demolished buildings, etc.

Gold Kist, Maintenance Mechanic. Worked third shift while starting excavation company, above. Performed maintenance and repairs on chicken processing equipment, icehouse (ice making machine – 700 pounds per hour), HVAC and electro-hydraulic equipment to facilitate proper operation of the processing line and cleaning of equipment. The plant operated two shifts. Third shift was for maintenance and cleaning.

Turner Welding, Welder/Fabricator/Machinist. Built fabricated and machined assemblies from detailed engineering drawings. Operated all shop equipment, rolls, presses, welders, etc.

Southern Research Institute, Fabricator/Machinist. Worked as a welder/machinist building test equipment for research work at the institute. Involved all types of metals, such as stainless, titanium, magnesium, Inconel, etc. Also included hydro testing of equipment and vessels.

US Navy, Welder/Pipefitter/Damage Controlman. Attended welding school, pipefitting school, hydraulics and damage control schools in the Navy. Enlistment time was spent as a ship welder/damage controlman.

LICENSES/EDUCATION/CERTIFICATIONS:

State of Illinois Professional Engineer, License Number 062.073084 (2021)
State of Georgia Structural Engineer License Number SE001021 (2021)
State of Kentucky Professional Engineer License Number 36316 (2021)
State of Louisiana Professional Engineer License Number 44135 (2019)
State of Virginia Professional Engineer License Number 0402061377 (2019)
State of Texas Professional Engineer License Number 134869 (2019)
State of Washington Professional Engineer License Number 57548 (2019)
Awarded U.S. Patent Number 9,664,074 B2 for Variable Valve Timing Device (2017)
NHRA (National Hot Rod Association) Competition License number 2010 Super Competition (2016)
State of Alabama Commercial Driver's License Class "A" (Doubles, Tanker and Haz Mat endorsement)
State of West Virginia Professional Engineer License 18183 (2009)
State of Missouri Professional Engineer License Number PE-2009013120 (2009)
State of Georgia Professional Engineer License Number PE033488 (2008)
Certified Aging in Place Specialist (CAPS; ADA) National Association of Home Builders (NAHB) (2007)
State of Tennessee Professional Engineer License Number 111157 (2007)
Alabama Onsite Wastewater Board – Advanced Installer's License Number 2103 (2006)
State of Arkansas Professional Engineer License Number 12327 (2006)
State of Mississippi Professional Engineering License Number 16727 (2005)
Master of Science Civil Engineering, University of Alabama at Birmingham (2005)
Structural Engineering Graduate Certificate, University of Alabama at Birmingham (2003)
Certified in Traffic Accident Reconstruction, Northwestern University (2001)
SME (Society of Manufacturing Engineers) Gear Design seminar, Nashville, TN (2000)
GE Fanuc Ladder Logic Programming, Chicago, IL (1999)
GE Fanuc i-Series Maintenance and Troubleshooting, Chicago, IL (1999)
State of Alabama Professional Engineering License Number 21013 (1995)
Mechanical Engineering Review, University of Alabama at Birmingham (1994)
Bachelor of Science Mechanical Engineering, University of Alabama at Birmingham (1990)
Numerous seminars on hydraulics, pumps, screens, cranes, electrical equipment, etc. (1988-1998)
Associate of Applied Science, Jefferson State Junior College, Birmingham, Alabama (1988)
Mining Safety Hazard Act (MSHA) Several seminars (1987-1989)
Welding School, Bessemer Tech, Bessemer, Alabama (1980)
Welding and Pipefitting, United States Navy, San Diego, California (1978)
Sheet Metal and Plate Fabrication, United States Navy, San Diego, California (1978)
Firefighting and Damage Control, United States Navy, San Francisco, California (1977)
Advanced Academic Diploma, Hewitt Trussville High, Trussville, Alabama (1976)
Basic Machine Shop Practice, Tarrant Vocational School, Tarrant, Alabama (1975)

MEMBERSHIPS and ASSOCIATIONS (Past and Present):

Member American Society of Professional Engineers (ASPE)
Member American Society of Civil Engineers (ASCE)
Member American Society of Mechanical Engineers (ASME)
Member Society of Automotive Engineers (SAE)
Member Southern Building Code Congress International (SBCCI)

CONTINUING EDUCATION:

Concrete Evaluation and Repair II, Red Vector 2008
Americans with Disabilities Act (ADA) Guidelines: Accessible Routes, Red Vector 2009
Titles II and III: Construction Compliance with the Americans with Disabilities Act (ADA), Red Vector 2009
Title III: Public Accommodations & Complying with the Americans with Disabilities Act (ADA), Red Vector 2009
SolidWorks Essentials, MLC Cad Systems, 2010
Fluid Flow, Continuing Education & Development, Inc. 2012
Fluid Power Part 2-Hydraulic Power Units, Continuing Education & Development, Inc. 2012
Fluid Power Part 3-Hydraulic Components, Continuing Education & Development, Inc. 2012
SolidWorks Sheet Metal, MLC Cad Systems, 2013
SolidWorks Weldments, MLC Cad Systems, 2013
Hydraulic Motor Speed Control & Regulation, Red Vector 2014
Dragster Super Competition Training, Frank Hawley School of Drag Racing, 2015
Alabama Board of Professional Engineers Rule & Laws, Failure & Damage Analysis, Inc. 2015
Noise & Vibration Control, Failure & Damage Analysis, Inc. 2015
Construction Pocket Guide, Failure & Damage Analysis, Inc. 2015
Air Quality & Auxiliary Equipment – Boiler Plants, PDH Source, LLC 2017
Solar Energy Fundamentals – PDH Library 2018
Stability Analysis of Concrete Structures and Retaining Walls, Part 1, PDH Library, 2018
Stability Analysis of Concrete Structures and Retaining Walls, Part 2, PDH Library, 2018
Steam Generators, PDH Library, 2018
Design of Helical Pile Systems, Foundation Technologies, Inc., 2019
Helical Pile Installation Course, Foundation Technologies, Inc., 2019
What every Engineer should know about Structures, Part 1, SunCam, 2020
What every Engineer should know about Structures, Part 2, SunCam, 2020
What every Engineer should know about Structures, Part 3, SunCam, 2020
What every Engineer should know about Structures, Part 4, SunCam, 2020

ACHIEVEMENTS

Quoted by Name in Alabama State Supreme Court ruling,
OCTOBER TERM, 2003-2004 1021368 Ex parte Robert H. Newton, Sr.
Issued a United States Patent on May 31, 2017 USPTO Number **9,664,074 B2**

12/30/2021 10:04 AM
TIANA P. GARNER, CLERKAFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 21-C-09115-S6

Plaintiff: James Harrington and Heather Harrington

vs.

Defendant: Chemtrade Chemicals US, LLC et al.

For:

Brandon Smith

Brandon Smith Law, LLC

5425 Peachtree Parkway NW

Peachtree Corners, GA 30092

Received by Ancillary Legal Corporation on the 28th day of December, 2021 at 11:39 am to be served on Chemtrade Solutions, LLC c/o C T Corporation System, 289 S. Culver St., Lawrenceville, GA 30046.

I, Christopher Todd Horton, being duly sworn, depose and say that on the 28th day of December, 2021 at 1:10 pm, I:

served Chemtrade Solutions, LLC c/o C T Corporation System by delivering a true copy of the Summons, General Civil and Domestic Relations Case Filing Information Form, Plaintiffs' Complaint for Engineering Malpractice, Negligence, and Damages with Exhibit A, Plaintiffs' First Requests for Admissions to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Requests for Production to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp. to: C T Corporation System as Registered Agent, BY LEAVING THE SAME WITH Linda Banks as Authorized to accept at the address of: 289 S. Culver St, Lawrenceville, GA 30046.

Additional Information pertaining to this Service:

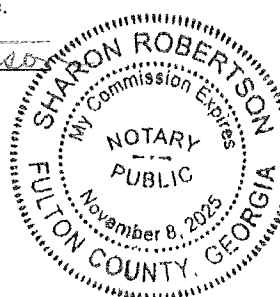
12/28/2021 1:10 pm Perfected corporate service at 289 S. Culver Street, Lawrenceville, GA 30046, by serving Linda Banks, process specialist.

White female, gray hair, ~60-65 years old, ~5'4, ~140 lbs, wears glasses.

I am an agent of Ancillary Legal Corporation and am competent in all respects to testify regarding the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true. I have no interest in the outcome of this action and am not related to any of the parties. I am 18 or more years of age and am authorized to serve process.

Subscribed and Sworn to before me on the 29th
day of December, 2021 by the affiant
who is personally known to me.

NOTARY PUBLIC



Christopher Todd Horton
Process Server

Ancillary Legal Corporation
2900 Chamblee Tucker Road
Building 13
Atlanta, GA 30341
(404) 459-8006

Our Job Serial Number: ANC-2021013218
Ref: Harrington

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

JAMES HARRINGTON, and
HEATHER HARRINGTON,

Plaintiffs,

v.

CHEMTRADE CHEMICALS US, LLC,
CHEMTRADE SOLUTIONS, LLC,
CHEMTRADE CHEMICALS
CORPORATION, CHEMTRADE
PERFORMANCE CHEMICALS US, LLC,
CHEMTRADE LOGISTICS (US), INC.,
GENTEK INC ET & NOMA CO. f/k/a
General Chemical Corp., XYZ CORP. 1-5,
and JOHN DOES 1-5,

Defendants

JURY TRIAL DEMANDED

CIVIL ACTION FILE

NO. 21-C-09115-S6

CERTIFICATE OF SERVICE AND NOTICE OF FILING OF DISCOVERY MATERIAL

James Harrington and Heather Harrington, Plaintiffs in the above-referenced matter and pursuant to local rules of this Court show that on December 28, 2021, they sent to be served with the Complaint this Notice and served upon the Defendant the following:

1. Plaintiff's First Request for Admission of Facts to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. ET & Noma Co. f/k/a General Chemical Corp.;
2. Plaintiff's First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. ET & Noma Co. f/k/a General Chemical Corp.; and
3. Plaintiff's First Request for Production of Documents to Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. ET & Noma Co. f/k/a General Chemical Corp.

Respectfully submitted, this 30th day of December 2021.

BRANDON SMITH LAW, LLC
/s/ Brandon Smith
BRANDON SMITH
Georgia Bar No. 732793
Counsel for Plaintiff

BRANDON SMITH LAW, LLC
5425 Peachtree Parkway, NW
Peachtree Corners, Georgia 30092
Phone: (678) 831-5278
Fax: (678) 623-5790
brandon@brandonsmithlawfirm.com

AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 21-C-09115-S6

Plaintiff: James Harrington and Heather Harrington

vs.

Defendant: Chemtrade Chemicals US, LLC et al.

For:

Brandon Smith

Brandon Smith Law, LLC

5425 Peachtree Parkway NW

Peachtree Corners, GA 30092

Received by Ancillary Legal Corporation on the 28th day of December, 2021 at 11:39 am to be served on Chemtrade Chemicals Corporation c/o C T Corporation System, 289 S. Culver St., Lawrenceville, GA 30046.

I, Christopher Todd Horton, being duly sworn, depose and say that on the 28th day of December, 2021 at 1:10 pm, I:

served Chemtrade Chemicals Corporation c/o C T Corporation System by delivering a true copy of the Summons, General Civil and Domestic Relations Case Filing Information Form, Plaintiffs' Complaint for Engineering Malpractice, Negligence, and Damages with Exhibit A, Plaintiffs' First Requests for Admissions to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Requests for Production to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp. to: C T Corporation System as Registered Agent, BY LEAVING THE SAME WITH Linda Banks as Authorized to accept at the address of: 289 S. Culver St, Lawrenceville, GA 30046.

Additional Information pertaining to this Service:

12/28/2021 1:10 pm Perfected corporate service at 289 S. Culver Street, Lawrenceville, GA 30046, by serving Linda Banks, process specialist.

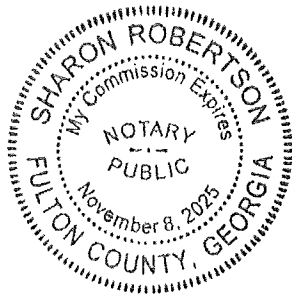
White female, gray hair, ~60-65 years old, ~5'4, ~140 lbs, wears glasses.

AFFIDAVIT OF SERVICE For 21-C-09115-S6

I am an agent of Ancillary Legal Corporation and am competent in all respects to testify regarding the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true. I have no interest in the outcome of this action and am not related to any of the parties. I am 18 or more years of age and am authorized to serve process.

Subscribed and Sworn to before me on the 29th
day of December, 2021 by the affiant
who is personally known to me.

Sharon Robertson
NOTARY PUBLIC



Christopher Todd Horton
Process Server

Ancillary Legal Corporation
2900 Chamblee Tucker Road
Building 13
Atlanta, GA 30341
(404) 459-8006

Our Job Serial Number: ANC-2021013219
Ref: Harrington

AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 21-C-09115-S6

Plaintiff: James Harrington and Heather Harrington

vs.

Defendant: Chemtrade Chemicals US, LLC et al.

For:

Brandon Smith

Brandon Smith Law, LLC

5425 Peachtree Parkway NW

Peachtree Corners, GA 30092

Received by Ancillary Legal Corporation on the 28th day of December, 2021 at 11:39 am to be served on Chemtrade Logistics (US), Inc. c/o C T Corporation System, 289 S. Culver St., Lawrenceville, GA 30046.

I, Christopher Todd Horton, being duly sworn, depose and say that on the 28th day of December, 2021 at 1:10 pm, I:

served Chemtrade Logistics (US), Inc. c/o C T Corporation System by delivering a true copy of the Summons, General Civil and Domestic Relations Case Filing Information Form, Plaintiffs' Complaint for Engineering Malpractice, Negligence, and Damages with Exhibit A, Plaintiffs' First Requests for Admissions to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Requests for Production to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp. to: C T Corporation System as Registered Agent, BY LEAVING THE SAME WITH Linda Banks as Authorized to accept at the address of: 289 S. Culver St, Lawrenceville, GA 30046.

Additional Information pertaining to this Service:

12/28/2021 1:10 pm Perfected corporate service at 289 S. Culver Street, Lawrenceville, GA 30046, by serving Linda Banks, process specialist.

White female, gray hair, ~60-65 years old, ~5'4, ~140 lbs, wears glasses.

AFFIDAVIT OF SERVICE For 21-C-09115-S6

I am an agent of Ancillary Legal Corporation and am competent in all respects to testify regarding the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true. I have no interest in the outcome of this action and am not related to any of the parties. I am 18 or more years of age and am authorized to serve process.

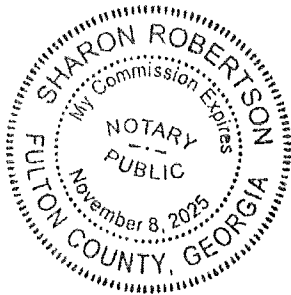
Subscribed and Sworn to before me on the 29th
day of December, 2021 by the affiant
who is personally known to me.

Sharon Robertson
NOTARY PUBLIC

Christopher Todd Horton
Process Server

Ancillary Legal Corporation
2900 Chamblee Tucker Road
Building 13
Atlanta, GA 30341
(404) 459-8006

Our Job Serial Number: ANC-2021013221
Ref: Harrington



AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 21-C-09115-S6

Plaintiff: James Harrington and Heather Harrington

vs.

Defendant: Chemtrade Chemicals US, LLC et al.

For:

Brandon Smith

Brandon Smith Law, LLC

5425 Peachtree Parkway NW

Peachtree Corners, GA 30092

Received by Ancillary Legal Corporation on the 28th day of December, 2021 at 11:39 am to be served on Chemtrade Chemicals US, LLC c/o C T Corporation System, 289 S. Culver St., Lawrenceville, GA 30046.

I, Christopher Todd Horton, being duly sworn, depose and say that on the 28th day of December, 2021 at 1:10 pm, I:

served Chemtrade Chemicals US, LLC c/o C T Corporation System by delivering a true copy of the Summons, General Civil and Domestic Relations Case Filing Information Form, Plaintiffs' Complaint for Engineering Malpractice, Negligence, and Damages with Exhibit A, Plaintiffs' First Requests for Admissions to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Requests for Production to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp. to: C T Corporation System as Registered Agent, BY LEAVING THE SAME WITH Linda Banks as Authorized to accept at the address of: 289 S. Culver St, Lawrenceville, GA 30046.

Additional Information pertaining to this Service:

12/28/2021 1:10 pm Perfected corporate service at 289 S. Culver Street, Lawrenceville, GA 30046, by serving Linda Banks, process specialist.

White female, gray hair, ~60-65 years old, ~5'4, ~140 lbs, wears glasses.

AFFIDAVIT OF SERVICE For 21-C-09115-S6

I am an agent of Ancillary Legal Corporation and am competent in all respects to testify regarding the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true. I have no interest in the outcome of this action and am not related to any of the parties. I am 18 or more years of age and am authorized to serve process.

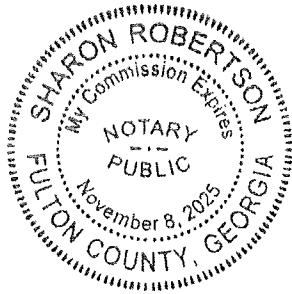
Subscribed and Sworn to before me on the 29th
day of December, 2021 by the affiant
who is personally known to me.

Sharon Robertson
NOTARY PUBLIC

Christopher Todd Horton
Process Server

Ancillary Legal Corporation
2900 Chamblee Tucker Road
Building 13
Atlanta, GA 30341
(404) 459-8006

Our Job Serial Number: ANC-2021013217
Ref: Harrington



AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 21-C-09115-S6

Plaintiff: **James Harrington and Heather Harrington**

vs.

Defendant: **Chemtrade Chemicals US, LLC et al.**

For:

Brandon Smith

Brandon Smith Law, LLC

5425 Peachtree Parkway NW

Peachtree Corners, GA 30092

Received by Ancillary Legal Corporation on the 28th day of December, 2021 at 11:39 am to be served on Chemtrade Performance Chemicals US, LLC c/o C T Corporation System, 289 S. Culver St., Lawrenceville, GA 30046.

I, Christopher Todd Horton, being duly sworn, depose and say that on the 28th day of December, 2021 at 1:10 pm, I:

served Chemtrade Performance Chemicals US, LLC c/o C T Corporation System by delivering a true copy of the Summons, General Civil and Domestic Relations Case Filing Information Form, Plaintiffs' Complaint for Engineering Malpractice, Negligence, and Damages with Exhibit A, Plaintiffs' First Requests for Admissions to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Requests for Production to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp. to: C T Corporation System as Registered Agent, BY LEAVING THE SAME WITH Linda Banks as Authorized to accept at the address of: 289 S. Culver St, Lawrenceville, GA 30046.

Additional Information pertaining to this Service:

12/28/2021 1:10 pm Perfected corporate service at 289 S. Culver Street, Lawrenceville, GA 30046, by serving Linda Banks, process specialist.

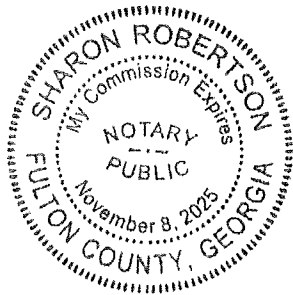
White female, gray hair, ~60-65 years old, ~5'4, ~140 lbs, wears glasses.

AFFIDAVIT OF SERVICE For 21-C-09115-S6

I am an agent of Ancillary Legal Corporation and am competent in all respects to testify regarding the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true. I have no interest in the outcome of this action and am not related to any of the parties. I am 18 or more years of age and am authorized to serve process.

Subscribed and Sworn to before me on the 29th
day of December, 2021 by the affiant
who is personally known to me.

Sharon Robertson
NOTARY PUBLIC



Christopher Todd Horton
Process Server

Ancillary Legal Corporation
2900 Chamblee Tucker Road
Building 13
Atlanta, GA 30341
(404) 459-8006

Our Job Serial Number: ANC-2021013220
Ref: Harrington

AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 21-C-09115-S6

Plaintiff: James Harrington and Heather Harrington

vs.

Defendant: Chemtrade Chemicals US, LLC et al.

For: Brandon Smith

Brandon Smith Law, LLC

Received by Ancillary Legal Corporation on the 28th day of December, 2021 at 11:39 am to be served on **Gentek Inc ET & Noma Co. f/k/a General Chemical Corp., 90 East Halsey Road, Attention: Tax Dept., Parsippany, NJ 07054. I, PETER FELDMAN**, being duly sworn, depose and say that on the 29TH day of DECEMBER 2021 at 1:11P.m., executed service by delivering a true copy of the **Summons, General Civil and Domestic Relations Case Filing Information Form, Plaintiffs' Complaint for Engineering Malpractice, Negligence, and Damages with Exhibit A, Plaintiffs' First Requests for Admissions to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Interrogatories to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp., Plaintiffs' First Requests for Production to Defendants Chemtrade Chemicals US, LLC, Chemtrade Solutions, LLC, Chemtrade Chemicals Corporation, Chemtrade Performance Chemicals, US, LLC, Chemtrade Logistics (US), Inc. and Gentek Inc. Et & Noma Co. f/k/a General Chemical Corp.** in accordance with state statutes in the manner marked below:

() PUBLIC AGENCY: By serving _____ as
 _____ of the within-named agency.

(X) CORPORATE SERVICE: By serving PARUL KACHHIA-PATEL as
MANAGING AGENT

() OTHER SERVICE: As described in the Comments below by serving
 _____ as _____.

() NON SERVICE: For the reason detailed in the Comments below.

Age 41 SEX ☒ F Race BROWN Height 5' 4 Weight 140 Hair BLACK Glasses Y N

COMMENTS: _____

Age _____ Sex M F Race _____ Height _____ Weight _____ Hair _____ Glasses
Y N

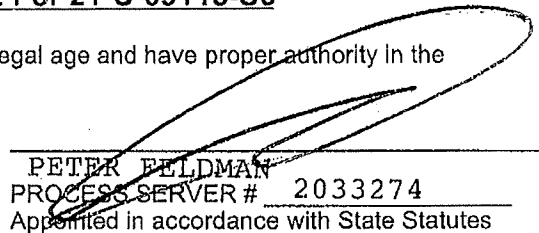
AFFIDAVIT OF SERVICE For 21-C-09115-S6

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 3RD
day of JANUARY, 2022 by the affiant who
is personally known to me.


NOTARY PUBLIC

Linda Jachera Feldman
Notary Public of the
State of New Jersey
Commission Expires 12/27/2024


PETER FELDMAN
PROCESS SERVER # 2033274
Appointed in accordance with State Statutes

Ancillary Legal Corporation
2900 Chamblee Tucker Road
Building 13
Atlanta, GA 30341
(404) 459-8006

Our Job Serial Number: 2021013222
Ref: Harrington

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☒ State Court of GWINNETT County

For Clerk Use Only

Date Filed _____
MM-DD-YYYYCase Number 21-C-09115-S6

Plaintiff(s)

HARRINGTON, JAMES

Last First Middle I. Suffix Prefix

HARRINGTON, HEATHER

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney Brandon Smith

Defendant(s)

CHEMTRADE CHEMICALS US, LLC

Last First Middle I. Suffix Prefix

CHEMTRADE SOLUTIONS, LLC

Last First Middle I. Suffix Prefix

CHEMTRADE CHEMICALS CORPORATION,

Last First Middle I. Suffix Prefix

CHEMTRADE PERFORMANCE CHEMICALS US, LLC, et al

Last First Middle I. Suffix Prefix

Bar Number 732793Self-Represented ☐

Check One Case Type in One Box

General Civil Cases

- ☐ Automobile Tort
☐ Civil Appeal
☐ Contract
☐ Garnishment
☒ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Dissolution/Divorce/Separate Maintenance
☐ Family Violence Petition
☐ Paternity/Legitimation
☐ Support – IV-D
☐ Support – Private (non-IV-D)
☐ Other Domestic Relations

Post-Judgment – Check One Case Type

- ☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Modification
☐ Other/Administrative

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.